

Appl. No. 10/798,062
Amendment dated November 8, 2006
Reply to Office Action of September 8, 2006

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REMARKS

Applicants request entry of the Amendment and Response.

Applicants have amended claims 3 and 4. Claim 3 is amended to incorporate the features of claim 1, and claim 4 is now dependent on claim 3.

Applicants have added new claims 12-27. The new claims are supported throughout the specification, including at page 9, lines 23-37; page 9, lines 15-18; page 8, lines 21-35; page 8, lines 5-15; and page 10, lines 8-26.

RESPONSE TO RESTRICTION

While not acquiescing to any statements of the Examiner, Applicants elect group II with traverse.

Applicants traverse the restriction with respect to Group I as the Examiner has not established that the search of both groups of claims would be unduly burdensome. Both groups are classified in the same class and a search of the apparatus is likely to include methods of using the apparatus.

Moreover, as indicated by the Examiner, upon notice of allowable apparatus claims, the method claims may be rejoined and examined. It would be more efficient for the Examiner to, therefore, search both groups of claims now.

CLAIM OBJECTIONS

In paragraphs 6-8 the Examiner makes provisional rejections on grounds of nonstatutory obviousness-type double patenting over claims in three copending applications: USSN 10/996,846, USSN 10/898,586, and USSN 10/971,475. Applicants note the provisional nature of the rejections and respectfully decline to address them until the copending claims are finally allowed or rejected.

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SUMMARY

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,
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Date: November 8, 2006

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